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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 Leon Mark Kizer,

Case No. 3:16-CV-00395-LRH-WGC

15 Petitioner,

STIPULATION TO DISMISS APPEAL

16 v.

AND ORDER THEREON

17 United States Environmental
18 Protection Agency,

Respondent.

19 _____/

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21 Leon Mark Kizer has received the letter from the United States Environmental Protection
22 Agency (“EPA”) stating that it has amended the compliance order that is the subject of this case in
23 order to withdraw it as to Mr. Kizer and remove him as a named respondent, thus ending Mr.
24 Kizer’s liability under the compliance order and any obligation to comply with the terms of the
25 compliance order. As contemplated by the stipulation the Parties filed on December 4, 2018, (ECF
26 NO. 31, ¶¶ D-E), the Parties, by and through their respective counsel, have agreed and hereby
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1 stipulate to dismiss this appeal, Case No. 3:16-CV-00395-LRH-WGC, with prejudice and each
2 Party to bear their own costs and attorney's fees.

3 Therefore, the Parties request that the Court enter an order pursuant to this stipulation and
4 dismiss this action with prejudice.
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6 Dated this 12th day of December, 2018.
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9 **FAEGRE BAKER DANIELS LLP**

UNITED STATES DEPARTMENT OF JUSTICE

10 *Attorneys for Petitioner*

Attorney for Respondent

11
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18 IT IS SO ORDERED

19 
20 THE HON. LARRY R. HICKS
21 UNITED STATES DISTRICT JUDGE

22 DATED this 14th day of December, 2018.
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